IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 539 (MS) OF 2006

1. Jahid Hasan,
   S/o Shri Sageer Ahmad,
   R/o Village-Madhopur Hazaratpur, Pargana-Bhagwanpur, Tehsil-Roorkee, District-Haridwar.
2. Sameem Ahmad,
3. Naseem Ahmad,
   Both sons of Shri Zahoor Ahmad,
   Both R/o Village-Manak Majara,
   Pargana-Bhagwanpur, Tehsil-Roorkee,
   District-Haridwar. .....Petitioner.

Versus

1. State of Uttaranchal through Collector Haridwar, District-Haridwar.
2. Gaon Sabha Nalheda Anantpur, Pargana-Bhagwanpur, Tehsil-Roorkee, District-Haridwar, through its Village Pradhan.
3. Smt. Hazara Begum, W/o Shri Munfait, R/o Village-Nalheda Anantpur, Pargana-Bhagwanpur, Tehsil-Roorkee, District-Haridwar. .....Respondents.

Dated: 10.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Nikhlesh Joshi, Advocate for the petitioners, Standing Counsel for the respondent no.1 and Mr. Diwakar Chamoli, Advocate for the respondent no. 2 both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioners have prayed for a writ of certiorari quashing the show cause notice dated 09.01.2006 (Annexure No.9 to the writ petition) and further to quash the proceedings of Case No. 18 of 2005-2006, State Vs. Smt. Hazara Begum and others pending in the Court of respondent no.1.

Counsel for the petitioners have submitted that the objections in proceedings under Section 9A(2) of the Consolidation of Holdings Act before the Collector has already been filed. He has also submitted that proceedings under the Consolidation of Holdings Act are already pending.

In view of the above, liberty is given to the petitioners to bring the aforesaid facts to the notice of the Collector within a period of one week from the date of production of the certified copy of the order. The Collector, Thereafter, shall pass appropriate orders within a week thereafter.

Writ petition is disposed of accordingly. No order as to costs.

10.05.2006 (Rajesh Tandon, J.)
Rathour